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NOTICE OF ALLOWANCE AND FEE(S) DUE

26201 7590 06/17/2009

FISH & RICHARDSON P.C.
P.O BOX 1022
Minneapolis, MN 55440-1022

EXAMINER

SHEKR, CRISTINA O

ART UNIT

PAPER NUMBER

3685

DATE MAILED: 06/17/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/576,462	05/23/2000	Cliff Burke Thompson	22543-002001	4101

TITLE OF INVENTION: SYSTEM AND METHOD FOR PROCESSING IMPORT/EXPORT TRANSACTIONS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$0	\$0	\$755	09/17/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

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**FISH & RICHARDSON P.C.
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Minneapolis, MN 55440-1022**

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE-FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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nonprovisional	YES	\$755	\$0	\$0	\$755	09/17/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
SHERR, CRISTINA O	3685	705-001000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/A/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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			ART UNIT	PAPER NUMBER

3685

DATE MAILED: 06/17/2009

Determination of Patent Term Extension under 35 U.S.C. 154 (b)

(application filed after June 7, 1995 but prior to May 29, 2000)

The Patent Term Extension is 1091 day(s). Any patent to issue from the above-identified application will include an indication of the 1091 day extension on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Extension is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

09/576,462

Examiner

CRISTINA SHERR

Applicant(s)

THOMPSON ET AL.

Art Unit

3685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERIT IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 06/23/2008.
2. ☒ The allowed claim(s) is/are 69-96.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

1. This communication is in response to Applicant's Amendment filed June 23, 2008. Claims 1-53 and 55-68 are currently pending in this case.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in a telephone interview with Kelly Kordzik, reg. no. 36,571, on June 4, 2009.

4. The claims are amended as follows:

5. Claims 1-53 and 55-68 are hereby cancelled. New claims 69-96 are hereby added, as follows:

69. (new) A method for processing an import/export transaction over a computer network using a server comprising a tariff assignment application and a product database comprising:

receiving, by the server, product information from a first terminal and storing the product information in the product database wherein the product information comprises product IDs, tariff classification, and duty rate information corresponding to each product ID;

receiving, by the server, an invoice from a second terminal wherein the invoice comprises an invoice detail section that includes: a product ID corresponding to a product, and a unit of quantity of the product;

matching, by the server, the product ID from the invoice detail section with a product ID from the product database and identifying a corresponding tariff classification from the matched product ID;

generating, by the tariff assignment application, an import/export declaration report using the tariff classification, unit of quantity, and duty rate information from the matched product ID, and a master report using the generated import/export declaration report; and

transmitting the invoice and the master report from the server to a customs broker/freight forwarder computer.

70. (new) The method as recited in claim 69, wherein the transmitting of the invoice and master report includes e-mailing the master report to a third terminal coupled to the computer network.

71. (new) The method as recited in claim 69, wherein the transmitting of the invoice and master report includes downloading the master report to a third terminal coupled to the computer network.

72. (new) The method as recited in claim 71, wherein the master report is downloaded in response to access of the master report by a third terminal using a web browser.
73. (new) The method as recited in claim 69, wherein the transmitting of the invoice and master report includes printing the master report.
74. (new) The method as recited in claim 69, wherein the invoice is inputted into a web site associated with the server.
75. (new) The method as recited in claim 69, further comprising updating the product database from a third terminal coupled to the computer network.
76. (new) The method as recited in claim 69, further comprising recording results of the matching of the product ID from the invoice detail section with the product ID from the product database into a transaction database hosted by the server.
77. (new) A system for processing an import/export transaction over a computer network using a server comprising a tariff assignment application and a product database comprising:
a processor; and

a memory coupled to the processor storing computer readable instructions when executed cause the processor to perform the steps of:

receiving product information from a first terminal and storing the product information in the product database wherein the product information comprises product IDs, tariff classification, and duty rate information corresponding to each product ID;

receiving an invoice from a second terminal wherein the invoice comprises at least one invoice detail section that includes: a product ID corresponding to a product, and a unit of quantity of the product;

matching the product ID from the invoice detail section with a product ID from the product database and identifying a corresponding tariff classification from the matched product ID;

generating an import/export declaration report using the tariff classification, unit of quantity, and duty rate information from the matched product ID, and a master report using the generated import/export declaration report; and

transmitting the invoice and the master report from the server to a customs broker/freight forwarder computer.

78. (new) The system as recited in claim 77, wherein the transmitting step includes e-mailing the master report to a third terminal coupled to the computer network.

79. (new) The system as recited in claim 77, wherein the transmitting step includes downloading the master report to a third terminal coupled to the computer network.
80. (new) The system as recited in claim 79, wherein the master report is downloaded in response to access of the master report by a third terminal using a web browser.
81. (new) The system as recited in claim 77, wherein the transmitting step includes printing the master report.
82. (new) The system as recited in claim 77, wherein the invoice is inputted into a web site associated with the server.
83. (new) The system as recited in claim 77, further comprising computer readable instructions when executed cause the processor to perform the step of updating the product database from a third terminal coupled to the computer network.
84. (new) The system as recited in claim 77, further comprising computer readable instructions when executed cause the processor to perform the step of recording results of the matching of the product ID from the invoice detail section with the

- product ID from the product database into a transaction database hosted by the server.
85. (new) The method as recited in claim 69, wherein the product ID is unique to a particular company.
86. (new) The method as recited in claim 85, wherein the import/export transaction is associated with the particular company.
87. (new) The method as recited in claim 69 further comprising:
modifying the product database to update the product IDs and/or tariff classification particular to each of the product IDs to ensure an accuracy of associations between the product IDs and corresponding tariff classifications.
88. (new) The method as recited in claim 69, wherein the invoice lists products to be imported/exported, and each product is identified with a product ID.
89. (new) The method as recited in claim 69, wherein the tariff classification is a harmonized tariff number for a particular country.
90. (new) The method as recited in claim 69, wherein the product database is customized on a per customer basis to ensure that the matching of the product IDs with the tariff classifications is in compliance with local customs regulations.

91. (new) The system as recited in claim 77, wherein the product ID is unique to a particular company.
92. (new) The system as recited in claim 91, wherein the import/export transaction is associated with the particular company.
93. (new) The system as recited in claim 77 further comprising computer readable instructions when executed cause the processor to perform the step of modifying the product database to update the product IDs and/or tariff classification particular to each of the product IDs to ensure an accuracy of associations between the product IDs and corresponding tariff classifications.
94. (new) The method as recited in claim 77, wherein the invoice lists products to be imported/exported, and each product is identified with a product ID.
95. (new) The system as recited in claim 77, wherein the tariff classification is a harmonized tariff number for a particular country.
96. (new) The system as recited in claim 77, wherein the product database is customized on a per customer basis to ensure that the matching of the product IDs with the tariff classifications is in compliance with local customs regulations.

Reasons for Allowance

The following is the Examiner's statement of reasons for allowance.

Regarding the claimed terms, the Examiner notes that a "general term must be understood in the context in which the inventor presents it." *In re Glaug* 283 F.3d 1335, 1340, 62 USPQ2d 1151, 1154 (Fed. Cir. 2002). Therefore the Examiner must interpret the claimed terms as found on pages 1-24 of the specification. Clearly almost all the general terms in the claims may have multiple meanings. So where a claim term "is susceptible to various meanings, . . . the inventor's lexicography must prevail" *Id.* Using these definitions for the claims, the claimed invention was not reasonably found in the prior art.

6. Regarding independent claim 69, the reference, Pool (US 6,460,020), discloses as previously discussed. Pool does not, however disclose generating, by the tariff assignment application, an import/export declaration report using the tariff classification, unit of quantity, and duty rate information from the matched product ID, and a master report using the generated import/export declaration report; and transmitting the invoice and the master report from the server to a customs broker/freight forwarder computer. Neither are the latter features likely to be found in a reasonable of references. Independent claim 69 and its dependent claims 70-76 and 85-92 are therefore deemed allowable.

7. Regarding independent claim 77, the reference, Pool (US 6,460,020), discloses as previously discussed. Pool does not, however, disclose generating an import/export declaration report using the tariff classification, unit of quantity, and duty rate information from the matched product ID, and a master report using the generated import/export declaration report; and transmitting the invoice and the master report from the server to a customs broker/freight forwarder computer. Neither are the latter features likely to be found in a reasonable of references. Independent claim 77 and its dependent claims 78-84 and 93-96 are therefore deemed allowable.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CRISTINA SHERR whose telephone number is (571)272-6711. The examiner can normally be reached on 8:30-5:00 Monday through Friday.

10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Calvin L. Hewitt, II can be reached on (571)272-6709. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CRISTINA OWEN SHERR
Examiner
Art Unit 3685

/Calvin L Hewitt II/
Supervisory Patent Examiner, Art Unit 3685